

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANIEL ROBERT WITCZAK,

Plaintiff,

v.

JARED D. LOZANO, et al.,

Defendants.

Case No. [20-cv-01566-HSG](#)

**ORDER GRANTING THIRD
EXTENSION OF TIME**

Re: Dkt. No. 30

Plaintiff, an inmate at Valley State Prison, has filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983, complaining of events at prisons where he was previously housed. On September 29, 2020, the Court dismissed the complaint with leave to amend, and ordered Plaintiff to file an amended complaint by October 27, 2020. Dkt. No. 22. Plaintiff has since sought, and received, two extensions of time to February 12, 2021, to file his amended complaint. Dkt. Nos. 24, 29. Plaintiff now seeks a third extension of time, stating that he has only recently received access to the law library, and that this access is limited. Dkt. No. 30. In Plaintiff's prior requests for extensions of time, Plaintiff stated he needed additional time because of restrictions imposed due to COVID-19 quarantine and because he had contracted COVID-19. Dkt. Nos. 24, 29. However, despite these restrictions, Plaintiff filed a motion for an emergency hearing due to retaliation and a "motion for preliminary injunction reconsideration." Dkt. Nos. 27, 28. It appears that despite the restrictions on Plaintiff's movement and his health, Plaintiff has been able to research and prepare legal pleadings.


In the interest of justice, the Court will grant Plaintiff a final extension of time to file his amended complaint. Plaintiff shall file his amended complaint by March 26, 2021. No further extensions of time will be granted. Failure to file an amended complaint in the time provided will

1 result in dismissal of this action without further notice to Plaintiff.

2 This order terminates Dkt. No. 30.

3 **IT IS SO ORDERED.**

4 Dated: 2/25/2021

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6 HAYWOOD S. GILLIAM, JR.
7 United States District Judge
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